

less than a specified minimum amount under the Needs component of the formula. The specified minimum amount shall equal .007826 percent of the available appropriations for that fiscal year after set asides.

$\text{MINFUNDING} = \text{APPROPRIATION} * .00007826$

If in the first Need computation, a qualified tribe is allocated less than the minimum Needs funding level, its Need allocation will go up. Other tribes whose Needs allocations are greater than the minimum needs amount will have their allocations adjusted downward to keep the total allocation within available funds:

If  $\text{NEED1} < \text{MINFUNDING}$  and  $\text{FCAS} < \$200,000$  and  $(\text{HHLE30} + \text{HH30T50} + \text{HH50T80}) > 0$ , then  $\text{NEED} 2 = \text{MINFUNDING}$ .

If  $\text{NEED1} \geq \text{MINFUNDING}$ , then  $\text{NEED2} = \text{NEED1} - \{\text{UNDERMIN\$} * [(\text{NEED1} - \text{MINFUNDING}) / \text{OVERMIN\$}]\}$ .

Where:

$\text{MINFUNDING}$  = minimum needs amount  
 $\text{UNDERMIN\$}$  = for all tribes qualifying for an increase under the minimum needs provision, sum of the differences between  $\text{MINFUNDING}$  and  $\text{NEED1}$ .

$\text{OVERMIN\$}$  = for all tribes with needs allocations larger than the minimum needs amount, the sum of the difference between  $\text{NEED1}$  and  $\text{MINFUNDING}$ .

8. The next step is to compute a preliminary unadjusted grant allocation ( $\text{unadjGRANT}$ ) that will serve as the basis for further adjustments called for in §1000.340.

$\text{unadjGRANT} = \text{FCAS} + \text{NEED}$ , where both  $\text{FCAS}$  and  $\text{NEED}$  are calculated above.

9. As required by §1000.340(a), if an Indian tribe with an IHA that owned or operated fewer than 250 units on October 1, 1997, is allocated less funding under the averaging method (§1000.316(b)(2)) than the calculation of the number of Low-Rent, Mutual Help, and Turnkey III  $\text{FCAS}$  is multiplied by the national per-unit amount of allocation for FY 1996 modernization multiplied by an adjustment factor for inflation, then, the Indian tribe's modernization allocation is calculated under §1000.316(b)(1). The grants of all other tribes are proportionately adjusted to keep the allocation within available appropriations.

If  $\text{MODAVG} < \text{MOD1996}$ ,  
 then  $\text{GRANT1} = \text{unadjGRANT} + (\text{MOD1996} * (\text{TDC}/\text{NTDC})) - (\text{MODAVG} * (\text{TDC}/\text{NTDC}))$ .

Otherwise,

$\text{GRANT1} = \text{unadjGRANT} - [\text{UNDERMOD\$} * (\text{unadjGRANT} / \text{OVERMODGRANT\$})]$

Where:

$\text{UNDERMOD\$}$  = for all tribes qualifying for an increase to modernization, the sum of the differences between local cost ad-

justed  $\text{MOD1996}$  and local cost adjusted  $\text{MODAVG}$ .

$\text{OVERMODGRANT\$}$  = for all tribes not qualifying for an increase to modernization, the sum of their unadjusted grant amounts.

10. As called for in §1000.340(b), a final adjustment occurs to ensure that no tribe is allocated less funding under the formula than an IHA received on its behalf in FY 1996 for operating subsidy and modernization. Indian tribes receiving more under the IHBG formula than in FY 1996 "pay" for the upward adjustment for the other tribes by having their grants adjusted downward, so long as the adjustment does not reduce their grant below the minimum funding amount.

Let  $\text{TEST} = \text{GRANT1} - \text{OPMOD96}$ .

If  $\text{TEST}$  is less than 0, then  $\text{GRANT2} = \text{OPMOD96}$ .

If  $\text{TEST}$  is greater than 0 and  $\text{GRANT1} > \text{MINFUNDING}$ , then  $\text{GRANT2} = \text{GRANT1} - [\text{UNDER1996} * (\text{TEST} / \text{OVER1996})]$ .

Where:

$\text{OPMOD96}$  = funding received by tribe in FY 1996 for Operating Subsidy and Modernization.

$\text{UNDER1996}$  = for all tribes with  $\text{TEST}$  less than 0, sum of the absolute value of  $\text{TEST}$ .

$\text{OVER1996}$  = for all tribes with  $\text{TEST}$  greater than 0, sum of  $\text{TEST}$ .

$\text{GRANT2}$  is the approximate grant amount in any given year for any given tribe.

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## PARTS 1001–1002 [RESERVED]

## PART 1003—COMMUNITY DEVELOPMENT BLOCK GRANTS FOR INDIAN TRIBES AND ALASKA NATIVE VILLAGES

### Subpart A—General Provisions

Sec.

- 1003.1 Applicability and scope.
- 1003.2 Program objective.
- 1003.3 Nature of program.
- 1003.4 Definitions.
- 1003.5 Eligible applicants.
- 1003.6 Waivers.

### Subpart B—Allocation of Funds

- 1003.100 General.
- 1003.101 Area ONAP allocation of funds.
- 1003.102 Use of recaptured and unawarded funds.

### Subpart C—Eligible Activities

- 1003.200 General policies.